

IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF TEXAS

TYLER DIVISION

WILLIAM BOYD PIERCE	§	
v.	§	CIVIL ACTION NO. 6:15cv806
WILLIAM STEPHENS, ET AL.	§	

MEMORANDUM ADOPTING REPORT AND RECOMMENDATION  
OF THE UNITED STATES MAGISTRATE JUDGE  
AND ORDER DENYING PLAINTIFF'S MOTION FOR INJUNCTIVE RELIEF

The Plaintiff William Boyd Pierce, proceeding *pro se*, filed this civil rights lawsuit under 42 U.S.C. §1983 complaining of alleged deprivations of his constitutional rights. This Court ordered that the matter be referred to the United States Magistrate Judge pursuant to 28 U.S.C. §636(b)(1) and (3) and the Amended Order for the Adoption of Local Rules for the Assignment of Duties to United States Magistrate Judges.

Pierce's lawsuit complains of the conditions of confinement on 12 Building at the Michael Unit. He has filed a motion for injunctive relief stating that he has been placed back in 12 building and asking for an order that he be taken out of that building and not reassigned there unless he receives a disciplinary case.

After review of the pleadings, the Magistrate Judge issued a Report recommending that the motion for injunctive relief be denied. Pierce received a copy of this Report on June 20, 2016, but filed no objections thereto; accordingly, he is barred from *de novo* review by the District Judge of those findings, conclusions, and recommendations and, except upon grounds of plain error, from appellate review of the unobjected-to proposed factual findings and legal

conclusions accepted and adopted by the district court. *Douglass v. United Services Automobile Association*, 79 F.3d 1415, 1430 (5th Cir. 1996) (*en banc*).

The Court has reviewed the pleadings in this cause and the Report of the Magistrate Judge. Upon such review, the Court has determined the Report of the Magistrate Judge is correct. *See United States v. Wilson*, 864 F.2d 1219, 1221 (5th Cir.), *cert. denied*, 492 U.S. 918, 109 S.Ct. 3243 (1989) (where no objections to a Magistrate Judge's Report are filed, the standard of review is "clearly erroneous, abuse of discretion and contrary to law.") It is accordingly

**ORDERED** that the Report of the Magistrate Judge (docket no. 13) is **ADOPTED** as the opinion of the District Court. It is further

**ORDERED** that the Plaintiff's motion for injunctive relief (docket no. 10) is **DENIED**.

So **ORDERED** and **SIGNED** this **5** day of **August, 2016**.



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Ron Clark, United States District Judge